

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

DELL USA L.P.,

Plaintiff,

v.

LUCENT TECHNOLOGIES, INC.,

Defendant.

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Case No. 4:03-CV-347

**VERDICT FORM**

In answering these questions, you are to follow all of the instructions I have given to you in the Court's Instructions to the Jury.

- 1A. Did Dell prove by a preponderance of the evidence that Lucent directly infringed the claims of the patents listed below?
- 1B. Did Dell prove by a preponderance of the evidence that Lucent induced another to infringe the claims of the patents listed below?
- 1C. Did Dell prove by clear and convincing evidence that Lucent's infringement, if any, was willful?

Answer "Yes" or "No" on the lines provided as to each claim in columns 1A and 1B. For each claim you answer "Yes" in columns 1A or 1B, if any, then answer "Yes" or "No" in column 1C. If you answer "No" in columns 1A and 1B, do not answer the corresponding column 1C.

**1A**  
(Direct Infringement)

**1B**  
(Infringement by Inducement)

**1C**  
(Willful Infringement)

'597  
Patent

Claim 1     NO

NO

~~NO~~

Claim 11     NO

NO

**1A**  
**(Direct Infringement)**

**1B**  
**(Infringement by Inducement)**

**1C**  
**(Willful Infringement)**

**'275**  
**Patent**

Claim 1	<u>NO</u>	<u>NO</u>	<u>          </u>
Claim 16		<u>NO</u>	<u>          </u>
Claim 17	<u>NO</u>	<u>NO</u>	<u>          </u>
Claim 21		<u>NO</u>	<u>          </u>

2. Did Lucent prove by clear and convincing evidence that any of the listed claims of the patents-in-suit are invalid?

**Answer "Yes" or "No" for each listed claim:**

**'597**  
**Patent**

Claim 1	<u>NO</u>
Claim 11	<u>NO</u>

**'275**  
**Patent**

Claim 1	<u>NO</u>
Claim 16	<u>NO</u>
Claim 17	<u>NO</u>
Claim 21	<u>NO</u>

3. What sum of money, if paid now in cash, do you find should be awarded to Dell as damages adequate to compensate it for the patent claims you have found to have been infringed by Lucent, if any? Only award damages for those claims you find infringed by Lucent and valid. Do not award damages for claims that you did not find infringed by Lucent and valid.

Answer: \$ \_\_\_\_\_ for the '597 Patent

Answer: \$ \_\_\_\_\_ for the '275 Patent

Date: 2-1-08

Signed: Deborah Ellen  
Foreperson